

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2013

Legislative Fiscal Note

BILL NUMBER: Senate Bill 137 (First Edition)

SHORT TITLE: Prohibit Co-pay Waiver/Medicaid Providers.

SPONSOR(S): Senator Tillman

FISCAL IMPACT					
(\$ in millions)					
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No Estimate Available					
	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
State Impact					
General Fund Revenues:					
General Fund Expenditures:					
Special Fund Revenues:					
Special Fund Expenditures:					
State Positions:					
NET STATE IMPACT					
Local Impact					
Revenues:					
Expenditures:					
NET LOCAL IMPACT	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Health and Human Services					
EFFECTIVE DATE: December 1, 2013					
TECHNICAL CONSIDERATIONS:					
None <input type="checkbox"/>					

BILL SUMMARY: Senate Bill 137 amends G.S. 108A-63, Medical Assistance Provider Fraud, making it illegal for any provider under the Department of Health and Human Services (DHHS) Medicaid Program to waive any co-payments owed by Medicaid beneficiaries for services rendered, unless at least one of the following exceptions apply.

Providers may waiver co-payments under any of the following conditions:

- The waiver is authorized under the Medical Assistance Program.
- The provider determines on an individual basis that the collection of the co-payment amount would create a substantial financial hardship for the recipient, provided the waiver of co-payments is not a regular business practice of the provider. For the purposes of this subdivision, a provider shall be considered engaged in the regular business practice of waiving co-payments if the provider holds himself or herself out to recipients as waiving required co-payments.
- The provider has made a good faith effort to collect the co-payment amount but the provider's reasonable collection efforts fail.

Assumptions & Methodology:

The Department of Health and Human Services reports that due to a lack of historical data regarding waiving of co-payments or solicitation of Medicaid recipients by offering reduced or no co-payments, at this time it is not possible to determine the number of providers that would be affected by this legislation or the number of recipients affected.

The Department does not anticipate any need for additional staff or resources to carry out the provisions of this bill at this time.

SOURCES OF DATA: Department of Health and Human Services, Division of Medical Assistance

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

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Fiscal Research Division

DATE: April 10, 2013



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